

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

**PURDUE PHARMA L.P., *et al.*,

Debtors.¹**

Chapter 11

Case No. 19-23649 (RDD)

(Jointly Administered)

**SEVENTH SUPPLEMENTAL DECLARATION OF VAN C. DURRER, II IN SUPPORT
OF APPLICATION OF DEBTORS FOR AUTHORITY TO RETAIN AND EMPLOY
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP AS SPECIAL
COUNSEL TO THE DEBTORS *NUNC PRO TUNC* TO THE PETITION DATE**

I, Van C. Durrer, II, declare:

1. I am a partner in the law firm of Skadden, Arps, Slate, Meagher & Flom LLP (together with its affiliates, “Skadden” or the “Firm”), special counsel to the above-captioned debtors (the “Debtors”) in the above-captioned bankruptcy cases, which maintains an office for the practice of law at, among other places, One Manhattan West, New York, New York 10001 and 300 South Grand Avenue, Suite 3400, Los Angeles, California 90071.

2. I am admitted in, practicing in, and a member in good standing of the bars of the States of California, Delaware, Maryland, New York, Virginia, and of the District of Columbia.

¹ The Debtors in these cases, along with the last four digits of each Debtor’s registration number in the applicable jurisdiction, are as follows: Purdue Pharma L.P. (7484), Purdue Pharma Inc. (7486), Purdue Transdermal Technologies L.P. (1868), Purdue Pharma Manufacturing L.P. (3821), Purdue Pharmaceuticals L.P. (0034), Imbrium Therapeutics L.P. (8810), Adlon Therapeutics L.P. (6745), Greenfield BioVentures L.P. (6150), Seven Seas Hill Corp. (4591), Ophir Green Corp. (4594), Purdue Pharma of Puerto Rico (3925), Avrio Health L.P. (4140), Purdue Pharmaceutical Products L.P. (3902), Purdue Neuroscience Company (4712), Nayatt Cove Lifescience Inc. (7805), Button Land L.P. (7502), Rhodes Associates L.P., Paul Land Inc. (7425), Quidnick Land L.P. (7584), Rhodes Pharmaceuticals L.P. (6166), Rhodes Technologies (7143), UDF L.P. (0495), SVC Pharma L.P. (5717) and SVC Pharma Inc. (4014). The Debtors’ corporate headquarters is located at One Stamford Forum, 201 Tresser Boulevard, Stamford, CT 06901.

3. I submit this declaration (this “Seventh Supplemental Declaration”) to supplement the disclosures in the declarations of Patrick Fitzgerald dated November 5, 2019 [Docket No. 438] (the “Initial Declaration”), March 16, 2020 [Docket No. 936] (the “First Supplemental Declaration”), May 26, 2020 [Docket No. 1183] (the “Second Supplemental Declaration”), and July 10, 2020 [Docket No. 1370] (the “Third Supplemental Declaration”), the declarations of Anthony W. Clark dated June 15, 2021 [Docket No. 3031] (the “Fourth Supplemental Declaration”), September 21, 2021 [Docket No. 3797] (the “Fifth Supplemental Declaration”), and November 9, 2021 [Docket No. 4088] (the “Sixth Supplemental Declaration,” and together with the Initial Declaration, the First Supplemental Declaration, the Second Supplemental Declaration, the Third Supplemental Declaration, the Fourth Supplemental Declaration, and the Fifth Supplemental Declaration, the “Prior Declarations”) in support of the Debtors’ Application for Order Under 11 U.S.C. § 327(e) Authorizing Employment of Skadden, Arps, Slate, Meagher & Flom LLP and Affiliates as Special Counsel *Nunc Pro Tunc* to the Petition Date [Docket No. 438] and the Debtors’ Application for Authority to Supplement the Retention and Employment of Skadden, Arps, Slate, Meagher & Flom LLP as Special Counsel *Nunc Pro Tunc* to March 6, 2020 [Docket No. 1370] (together, the “Application”).² In the Prior Declarations, Skadden previously disclosed its current or past representations in matters of parties or potential parties in these Chapter 11 Cases, or their affiliates.

4. The facts set forth below are based either upon my personal knowledge, discussions with other partners, counsel and associates of Skadden, and client/matter records of Skadden reviewed by myself or by associates of Skadden acting under the supervision and

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Application.

direction of Skadden partners working with me on this task, and if called as a witness I would testify competently thereto.

5. Since the filing of the Prior Declarations, Skadden has engaged in further monitoring of the connections of its partners, counsel, and associates with respect to the matters contained in the Prior Declarations, and has continued to conduct further periodic checks with respect to known and newly-identified persons and parties in interest in these Chapter 11 Cases. In preparing this Seventh Supplemental Declaration, Skadden conducted additional searches for new parties in interest that have been identified by the Debtors since the Prior Declarations, as of April 4, 2022, which parties are reflected in **Exhibit 1**.

6. As a result of Skadden's ongoing review of these matters, Skadden discloses that, in addition to the entities or individuals previously disclosed in the Prior Declarations, Skadden currently represents the entities presented in bold italics on **Exhibit 1** or their affiliates, and has in the past represented the entities presented in italics on **Exhibit 1** or their affiliates. Such representations are not, have not been, and will not be adverse to the Debtors with respect to the matters on which Skadden is to be employed. In addition, Skadden makes the following additional specific disclosures.

7. **Other.** One of the parties newly identified by the Debtors is Steve Bullock, who was appointed by the Court as a monitor in the Chapter 11 Cases to report quarterly to the Bankruptcy Court on the Debtors' compliance with its voluntary injunction. In 2014, a then Skadden partner (no longer with the firm) hosted and paid out of personal funds for a fundraising event at Skadden for Mr. Bullock. In addition, in 2019, a Skadden partner hosted and paid out of personal funds for a fundraising event for Mr. Bullock. Neither of these parties billed time to Purdue matters.

8. **Endo.** Skadden disclosed in its Prior Declarations that it represents Endo International plc (“Endo”) as lead national coordinating counsel in opioid product litigation (the “Endo Coordinating Engagement”), and that such representation has not been, is not, and will not be adverse to the Debtors with respect to the matters for which Skadden was retained by the Debtors. On August 16, 2022, Endo and certain of its subsidiaries commenced Chapter 11 proceedings in the U.S. Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”), which cases are being jointly administered under Case No. 22-22549 (the “Endo Chapter 11 Cases”). Skadden represents Endo and its subsidiaries in the Endo Chapter 11 Cases as restructuring counsel (the “Endo Restructuring Engagement” and together with the Endo Coordinating Engagement, the “Endo Engagements”). Skadden’s retention by Endo is currently pending before the Bankruptcy Court. Skadden does not believe that either of the Endo Engagements encompass any adversity as to the Debtors with respect to the Services provided by Skadden to the Debtors. As previously disclosed, Skadden has established an internal screening mechanism or an “Ethical Wall” between those attorneys who worked on or will work on the Endo Engagements and the attorneys who will work on or have previously spent significant time working on Purdue matters.³ I do not believe that Skadden’s engagement on behalf of Endo precludes Skadden from meeting the requirement of Bankruptcy Code section 327(e) that Skadden “does not represent or hold any interest adverse to the debtor or to the estate with respect to the matter[s] on which [Skadden] is to be employed.”

9. **Sackler Representation.** In 2012, Skadden briefly represented Jonathan Sackler in connection with limited advice on matters unrelated to Purdue or the pharmaceutical industry. None of the attorneys who worked on this representation have worked on Purdue

³ In limited instances, attorneys who previously had a *de minimis* role in Purdue matters now work on Endo
(continued. . .)

matters and none of the attorneys who worked on this representation are currently employed at Skadden.⁴

10. **Prior Representation of Skadden Attorneys and Legal Assistants.** In addition, prior to joining Skadden, certain attorneys, summer associates and legal assistants represented parties in interest that are adverse to Purdue and/or were co-defendants with Purdue in their prior employment. Skadden has established formal screening procedures or an “Ethical Wall” with respect to these attorneys, summer associates and legal assistants to ensure that they do not exchange any information protected as confidential with respect to either their prior representations or any of the Debtors.

(a) Prior to joining Skadden, an associate who is expected to join Skadden’s District of Columbia office in October 2022, represented McKesson Corporation and PSS World Medical, Inc. on opioid-related matters while employed at Covington & Burling LLP. Prior to hiring this associate, Skadden obtained a waiver from McKesson Corporation and PSS World Medical Inc. This associate will not have any involvement in the Purdue matters or Endo matters.

(b) Prior to joining Skadden, a legal assistant located in Skadden’s Wilmington office assisted Accord Healthcare Inc. ("Accord") in connection with the following case involving patent infringement issues *Purdue Pharma L.P. v. Accord Healthcare Inc. D. Del. 20-1362-RGA* while employed at Greenberg Traurig LLP. This legal assistant has not had and will not have any involvement in the Purdue matters or Endo matters.

(c) Prior to joining Skadden, a former summer associate (during the summer of 2022) located in Skadden’s New York office conducted legal research for Dr. Richard S. Sackler and Jonathan D. Sackler while employed as a summer associate at Paul, Weiss, Rifkind, Wharton & Garrison LLP. Prior to hiring this summer associate, Skadden obtained a waiver from Dr. Richard S. Sackler and Jonathan D. Sackler. This summer associate did not have any involvement in the Purdue matters or Endo matters while employed at Skadden.

(d) Prior to joining Skadden, a former summer associate (during the summer of 2022) located in Skadden’s New York office prepared materials for Viatrix,

(continued from previous page)
matters instead.

⁴ Total time spent on this representation was less than 30 hours over a period of less than two months.

Inc. (“Viatis”) related to *In re Opioid Litigation., Inc.* while employed as a summer associate at Hogan Lovells US LLP. Prior to employing this summer associate, Skadden obtained a waiver from Viatis. This summer associate did not have any involvement in the Purdue matters or Endo matters while employed at Skadden.

11. Skadden will continue to conduct due diligence and will file additional supplemental declarations to the extent necessary.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct, to the best of my knowledge, information, and belief, and after reasonable inquiry.

Dated: Los Angeles, California
November 17, 2022

SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP

/s/ Van C. Durrer II
Van C. Durrer II
300 South Grand Avenue
Los Angeles, California 90071
Telephone: (213) 687-5200
Fax: (213) 621-5200

Special Counsel to Debtors and Debtors-in-Possession

EXHIBIT 1

Additional Parties-In-Interest

EXHIBIT 1

**List of Additional Potential Parties in
Interest**

Italicized entries are former clients or their affiliates from unrelated matters.

Bold italicized entries are current clients or their affiliates from unrelated matters.

Category	<i>Party in Interest</i>
Current Directors and Officers	DONOGH MCGUIRE
Current Directors and Officers	DR. SAJJAN DANIEL
Current Directors and Officers	HUSSEIN GHNAIMEH
Current Directors and Officers	JOSEPH NORTHINGTON
Current Directors and Officers	JULIE DUCHARME
Current Directors and Officers	KAREN LAUREL
Current Directors and Officers	MARC L. KESSELMAN
Current Directors and Officers	MARGARET FELTZ
Current Directors and Officers	MICHAEL RONNING
Current Directors and Officers	MONICA KWARCINSKI
Current Directors and Officers	RICHARD W. SILBERT
Current Directors and Officers	ROXANA ALEALI
Current Directors and Officers	SAILAJA BHASKAR, PH.D.
Current Directors and Officers	SARAH ROBERTSON
Current Directors and Officers	TERRENCE RONAN
Former Directors and Officers	AARON GRAHAM
Former Directors and Officers	ALAN BUTCHER
Former Directors and Officers	ANTHONY C. SANTOPOLO, M.D.
Former Directors and Officers	BENJAMIN OSHLACK
Former Directors and Officers	BERT WEINSTEIN
Former Directors and Officers	CARL GRAF
Former Directors and Officers	CAROLINE CHOMIAK
Former Directors and Officers	CHRISTIAN MAZZI
Former Directors and Officers	DANIELLE NELSON
Former Directors and Officers	DAVID E. LONG
Former Directors and Officers	DAVID LONG
Former Directors and Officers	DAVID S. FOGEL
Former Directors and Officers	DAVID VOLOSIN
Former Directors and Officers	DENNIS A. MERLO
Former Directors and Officers	DON KYLE
Former Directors and Officers	ECKHARD MUHLHAUSER
Former Directors and Officers	EDWARD ALBRIGHT
Former Directors and Officers	EDWARD MURRAY
Former Directors and Officers	FRED SCHAEFER
Former Directors and Officers	FREDERICK A. SEXTON
Former Directors and Officers	GARY STILES, M.D.
Former Directors and Officers	GLENN VAN BUSKIRK
Former Directors and Officers	HANS PETER KIRCHGAESSNER
Former Directors and Officers	HOLBROOK BUGBEE
Former Directors and Officers	HOWARD R. UDELL
Former Directors and Officers	JAMES DOLAN
Former Directors and Officers	JAMES DOYLE
Former Directors and Officers	JEAN-JACQUES CHARHON
<i>Former Directors and Officers</i>	<i>JOHN H. STEWART</i>
Former Directors and Officers	JONATHAN G. WHITE
Former Directors and Officers	JUDY LEWENT
Former Directors and Officers	KATHLEEN M. SCHADY
Former Directors and Officers	LARRY A. PICKETT, JR.
Former Directors and Officers	LOUIS J. DEBONE
Former Directors and Officers	MAHMOUD MAHMOUDIAN
Former Directors and Officers	MARK ALFONSO
Former Directors and Officers	MARK CHASIN
Former Directors and Officers	MARK FLETCHER
<i>Former Directors and Officers</i>	<i>MARK TIMNEY</i>
Former Directors and Officers	MARTIN GREENE
Former Directors and Officers	MARY E. OGLE

EXHIBIT 1

**List of Additional Potential Parties in
Interest**

Italicized entries are former clients or their affiliates from unrelated matters.

Bold italicized entries are current clients or their affiliates from unrelated matters.

Category	<i>Party in Interest</i>
Former Directors and Officers	MICHAEL COLLINS
Former Directors and Officers	MICHAEL FRIEDMAN
Former Directors and Officers	PAUL D. GOLDENHEIM, M.D.
Former Directors and Officers	PHILIP J. PALERMO, PH.D.
Former Directors and Officers	RANDY SHAMBLEN
Former Directors and Officers	RAUL DAMAS
Former Directors and Officers	RICH FANELLI
Former Directors and Officers	ROBERT F. KAIKO
Former Directors and Officers	ROBERT J. KUPPER
Former Directors and Officers	ROBERT REDER
Former Directors and Officers	ROBERT SHAPIRO
Former Directors and Officers	ROBERT THEBEAU
Former Directors and Officers	ROBIN ABRAMS
Former Directors and Officers	ROGER W. CROSWELL, PH.D.
Former Directors and Officers	RONALD BURCH
Former Directors and Officers	RUSS GASDIA
Former Directors and Officers	SAEED MOTAHARI
Former Directors and Officers	SUSIE ROBINSON
Former Directors and Officers	THOMAS L. ANDERSON
Former Directors and Officers	TODD BAUMGARTNER, M.D.
Former Directors and Officers	VINCENT F. MANCINELLI II
Former Directors and Officers	WILLIAM F. HERLIHY
Former Directors and Officers	WILLIAM LOOMIS
Former Directors and Officers	WILLIAM MALLIN
Other Professionals	STEVE BULLOCK (COURT APPOINTED MONITOR)
Other Professionals	SULLIVAN & WORCESTER LLP
Other Professionals	JUDGE COLLEEN MCMAHON
Vendors	A&A PV CONSULTING LIMITED
Vendors	ADEN PHARMACOVIGILANCE
<i>Vendors</i>	<i>BASF CORPORATION</i>
Vendors	CBTS LLC
Vendors	DOVETAIL CONSULTING GROUP LLC
Vendors	ICON CLINICAL RESEARCH LIMITED
Vendors	INDUSTRIAL PHARMACEUTICAL
Vendors	LYNX GROUP LLC
<i>Vendors</i>	<i>MARSH MANAGEMENT SERVICES</i>
Vendors	PEARL MANAGEMENT CONSULTING LLC
Vendors	STAGEBIO
Vendors	TREASURER STATE OF MAINE BOP
<i>Vendors</i>	<i>TRIRX HUNTSVILLE PHARMA SVCS LLC</i>
Vendors	VIWIT PHARMACEUTICAL CO LTD